

By email

Kirsty Williams
Minister for Education

24 November 2020

Response to WG letter and direction dated 17 Nov 2020

Dear Minister,

Thank you for your letter of 17 November 2020, enclosing your direction under section 53 of the Qualifications Wales Act 2015 ("the Act").

We recognise that your policy decisions regarding the cancellation of exams for summer 2021 have been taken in extraordinary circumstances, which are beyond anyone's control. No solution to the difficult situation which we face is perfect, and there are risks with all options available. We also recognise that whatever solution is advanced will not receive unanimous support.

As you have acknowledged in both your direction and your covering letter, as the independent regulator of qualifications in Wales, our role is to ensure that qualifications, and the Welsh qualification system, are effective for meeting the reasonable needs of learners in Wales; and to promote public confidence in qualifications and in the Welsh qualification system. To achieve our principal aims, we are solely responsible for regulating qualifications in Wales, including the method of their assessment. In carrying out our functions we are required to have regard to any direction issued by you under section 53 of the Act.

In fulfilment of our duty under section 53 of the Act, our Board met on 19 November 2020 and considered your direction to us of 17 November 2020. The Board's consideration of each aspect of the direction is set out below.

Firstly, in respect of your direction to have regard to the Welsh Government policy that the summer 2021 cohort of GCSEs, AS and A-level learners in Wales taking Qualifications Wales approved qualifications should not sit nationally co-ordinated and timetabled exams in summer 2021; the Board considered

- the fact that its published advice to you on this topic, published before the direction was made, recommended that there should be no nationally co-ordinated and timetabled exams in summer 2021 for GCSE and AS level students; but that nationally co-ordinated and timetabled A level exams should go ahead;
- the receipt of the direction from you as to the Welsh Government policy position required the Board to re-consider its position that there should be nationally co-ordinated and timetabled A level exams in summer 2021;

Qualifications Wales

Q2 Building, Pencarn Lane
Imperial Park,
Newport
NP10 8AR
☎ 01633 373 222



www.qualificationswales.org

Cymwysterau Cymru

Adeilad Q2, Lôn Pencarn
Parc Imperial,
Casnewydd
NP10 8AR
☎ 01633 373 222

- the fact that the independent review established by you to consider the lessons learnt from the operation of the summer 2020 exam series had recommended that there should be no nationally co-ordinated and timetabled A level exams in summer 2021;
- the fact that you had undertaken additional stakeholder engagement on the question of whether or not there should be nationally co-ordinated and timetabled A level exams in summer 2021; and,
- the fact that your statement of the Welsh Government policy on A level exams in summer 2021 to the Assembly was published widely in the press, as well as comments made after the statement; and that that statement and those comments had been reported as an indication of what would be happening with regard to A level exams in summer 2021, rather than as a statement of Welsh Government policy with the final decision for Qualification Wales as the regulator.

In the light of the above considerations, the Board decided that nationally co-ordinated and timetabled A level exams should not proceed in summer 2021. It made that decision for the following reasons:

- in the light of your views, the views of the independent review, and of the stakeholders you had engaged with, Qualifications Wales considered that there were strongly held views by some members of the public that nationally co-ordinated and timetabled A level exams should not proceed in summer 2021;
- whilst the views of members of the public could not, and should not, be determinative of the question, the Board considered that those views were relevant, given the events of 2020, to the question of confidence of the public in qualifications in Wales;
- likewise, the Board concluded that the way that your announcement was published meant that the public in Wales considered that a final decision on A level exams for summer 2021 had been taken;
- again, whilst this could not be determinative of the question, the Board considered that there could be significant damage to the confidence of the public in qualifications in Wales if the regulator was now to announce that nationally co-ordinated and timetabled A level exams would, in fact, proceed in summer 2021;
- the Board was highly aware of the risks of cancelling the nationally co-ordinated and timetabled A level exams, including as to the perception of value of the qualifications, the attitude of higher education institutions and the time available to devise a fair and robust alternative assessment mechanism;
- however, on balance, the Board decided that it would be in the best interests of learners in Wales, and would best promote confidence in the qualifications system in Wales, for nationally co-ordinated and timetabled A level exams to be cancelled for summer 2021.

Secondly, in relation to your direction to have regard to the Welsh Government policy that as an alternative to summer examinations an approach to centre-based outcomes is developed linked to an agreed national approach to provide consistency across Wales; and that it is the Welsh Government's policy intention that there will be a common approach across Wales providing transparency and rigour; the Board:

- endorsed the need to adopt a consistent approach to an alternative assessment method across Wales, which provided transparency and rigour;
- expressed concern at the timescales within which alternative assessment methods needed to be developed; and,
- instructed officers at Qualifications Wales to begin work in conjunction with WJEC on considering what alternative assessment methods might be possible.

The Board will, as required by law, also have regard to your direction at the point that it takes a relevant decision on the alternative approach to awarding the qualifications in question.

Finally, in relation to your direction to have regard to the Welsh Government policy that policy proposals for centre-based outcomes, are co-constructed with the education sector via the Design and Delivery Advisory Group that has been established; the Board considered:

- the fact that the Design and Delivery Advisory Group has no power in law to make decisions about alternative methods of assessment for the qualifications in question;
- the fact that the Design and Delivery Advisory Group is purely an advisory group which will advise you on policy issues; and,
- that Qualifications Wales has the power to provide advice and assistance to the Design and Delivery Advisory Group as a result of its incidental powers, but could not take decisions with the Design and Delivery Advisory Group about methods of assessment for the qualifications in question, given the lack of decision making power of the Group, and given Qualifications Wales role as independent regulator of qualifications in Wales.

Following consideration, the Board decided that:

- officers of Qualification Wales will attend meetings of the Design and Delivery Advisory Group to provide advice and assistance to the group in formulating its recommendations to you.

Clearly, it is anticipated that the Design and Delivery Advisory Group will provide advice to you within a relatively short window of time. Following provision of that advice, and any further policy announcements and/or directions from you, as well as consideration of the views of WJEC, the Board will make its decision on what is the appropriate method of assessment of GCSE, AS and A levels in summer 2021, and will make adjustments to the regulatory framework as required.

The Board has agreed a set of principles that it will use to consider any detailed policy proposals on assessment arrangements for summer 2021 that you provide in a future direction. We will write to you and to the Chair of the Design and Delivery Advisory Group shortly to share these principles so that there is transparency in the way that decisions will be made. We hope that sight of these principles will be useful for you as you consider the output from the group.

As always we remain committed to working closely with you on these difficult issues so that learners in Wales can be assessed in the fairest possible way during these exceptional times.

Yours sincerely,

A handwritten signature in black ink that reads "David Jones".

David B Jones OBE DL
Chair

A handwritten signature in blue ink that reads "Philip Blaker".

Philip Blaker
Chief Executive